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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,925	02/24/2004	Takatoshi Tsujimura	JP920000098US	4884
7590	06/17/2004			
David Aker 23 Southern Road Hartsdale, NY 10530			EXAMINER DUONG, TAI V	
			ART UNIT 2871	PAPER NUMBER

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/786,925	<b>Applicant(s)</b> TSUJIMURA ET AL.	
	<b>Examiner</b> Tai Duong	<b>Art Unit</b> 2871	<i>AW</i>

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-13 is/are allowed.
- 6) ☒ Claim(s) 14 and 16 is/are rejected.
- 7) ☒ Claim(s) 15 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/682,002.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/24/04</u> . | 6) <input type="checkbox"/> Other: ____  |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Park et al (US 5,478,766).

Note Figs. 5A-E and Fig. 6C which identically disclose the claimed method comprising the steps of: forming a pattern of a gate electrode 22 on an insulating substrate 21; sequentially depositing a gate insulating film 24 and a semiconductor layer 25 on said gate electrode and then forming a metal film (27, 28) ; depositing an ITO film (29, 30) in consideration of a pattern of said metal film to be patterned and in consideration of a pattern of a pixel electrode 30; and patterning said metal film by using said ITO film as a mask thus forming a source electrode 31 and a drain electrode 32 (col. 5, line 38 – col. 6, line 23). As to claim 16, note Fig. 6C.

Claims 15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10-13 are allowed over the prior art of record because none of the prior art discloses or suggests a method for manufacturing an active matrix substrate of the *top gate* type in which a source electrode, a drain electrode, a semiconductor layer, a gate insulating film and a gate electrode are sequentially deposited on an insulating substrate directly or indirectly, comprising the steps of: patterning a gate metal

Art Unit: 2871

deposited on said gate insulating film by the use of a resist mask; patterning said gate insulating film and said semiconductor layer by using said patterned gate metal as a mask; forming an ITO film and patterning the ITO film by using a resist mask; and patterning said gate electrode by using said patterned ITO film as a mask.

Claims 15 and 17 are allowable over the prior art of record because none of the prior art discloses or suggests a method having the combination of the steps recited in claim 14 with the step of *providing a protection film on said source and drain electrodes to interpose the ITO film therebetween, and patterning said semiconductor layer by using said protection film*, or with the step of *forming said metal film in the same pattern as that of the patterned gate insulating film*.

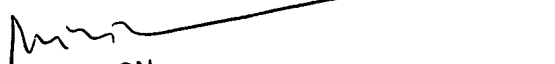
Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



TVD

06/04

  
TOANTON  
PRIMARY EXAMINER